

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI**

MISSOURI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
REDDITT HUDSON, F. WILLIS JOHNSON
AND DORIS BAILEY,

Plaintiffs,

v.

FERGUSON-FLORISSANT SCHOOL
DISTRICT AND ST. LOUIS COUNTY
BOARD OF ELECTION COMMISSIONERS,

Defendants.

Civ. No. 4:14-cv-2077-RWS

EXPERT REPORT OF DAVID C. KIMBALL, Ph.D.

I am a Professor of Political Science at the University of Missouri-St. Louis. I am also Director of Graduate Studies in the Department of Political Science. I earned my Ph.D. in Political Science from Ohio State University in 1997. From 1998 to 2001, I was a faculty member in the Political Science department at Southern Illinois University at Carbondale. I have been at UM-St. Louis since 2001. I was promoted from Assistant Professor to Associate Professor with tenure in 2004. In 2012 I was promoted to Full Professor. A copy of my curriculum vitae is attached. I am being compensated \$100 per hour for my work.

My expertise is generally in American politics with a focus on elections, public opinion, interest groups, research design and statistical methodology. I teach courses on these topics at the undergraduate and graduate levels. I am co-author of the book *Helping America Vote: The Limits of Election Reform* (Routledge, 2012). I am co-editor of the book *Controversies in Voting Behavior*, 5th edition (CQ Press, 2011). I have published articles in peer-reviewed journals such as *American Political Science Review*, *Public Opinion Quarterly*, *Journal of Politics*, *Election Law Journal*, and *American Politics Research*. I serve on the editorial board of *Election Law Journal*, and I have served as a manuscript reviewer for many academic journals.

I have a particular expertise in elections and election administration at the state and local level. I have contributed to reports by the Missouri Legislative Academy, RegionWise, and

the Brennan Center for Justice on election laws and procedures at the state and local level. I also served as a member of the Citizen Audit Panel for the St. Louis City Board of Election Commissioners in 2006. My research on elections and election administration has been supported by grants from the National Science Foundation and the Pew Charitable Trusts. I am frequently interviewed by reporters to comment on Missouri elections and politics. I have been quoted in articles appearing in the *Columbia Tribune*, *Kansas City Star*, *St. Louis Post-Dispatch*, and St. Louis Public Radio.

I have provided expert reports in the following cases:

SIEU, et al. v. Husted, et al. (2012)

Stenger, et al. v. Kellett, et al. (2012)

Pearson, et al. v. Koster, et al. (2012)

American Civil Liberties Union of Ohio, et al. v. Jennifer Brunner, et al. (2008)

Working Families Party, et al. v. New York City Board of Elections, et al. (2003)

* * *

The federal Voting Rights Act (VRA), originally passed in 1965, generally prohibits election practices that discriminate on the basis of race, color, or language group. Following amendments to the VRA in 1982, Congress made clear in a Senate Judiciary Committee report that the law would be violated if the “totality of circumstances of the local electoral process” had the effect of denying equal opportunities to participate in the political process. The committee report identified seven “Senate factors” and two unnumbered factors that courts may consider probative when evaluating the “totality of circumstances.” The Senate Judiciary Committee report notes that the factors are “neither exclusive nor exhaustive” and that “a plaintiff need not prove any particular number or a majority of these factors in order to succeed in a vote dilution claim.”

It is my opinion that the use of at-large elections held in April to select members of the Ferguson-Florissant School Board implicates the Senate Report factors in ways that deprive African-American residents of the Ferguson-Florissant School District of influencing the outcome of elections. The following sections describe how at-large elections interact with the social and economic conditions affecting racial minorities in the Ferguson-Florissant School District in a way that deprives them of the equal ability to elect candidates of their choice.

The “calculus of voting” is the principal framework used by scholars to study voter turnout. Researchers frequently consider the likelihood of voting using the equation $P \times B - C$, where P represents the probability of one’s vote determining the outcome, B represents the

psychological benefit of seeing one's preferred candidate win, and C represents the costs of voting. The costs of voting include the effort needed to become informed about the candidates as well as the effort needed to overcome the administrative and other barriers to registering and casting a ballot.¹ This framework suggests that for many people the decision to vote is a close call. Small changes in benefits or costs may dramatically change the likelihood of voting. Costs and benefits are especially influential for less educated people and non-habitual voters for whom the complications of registering and casting a ballot can be quite costly.²

Considering the "calculus of voting" generally and related research on how election practices affect turnout among African Americans in particular, it is clear that multiple Senate factors present in the Ferguson-Florissant School District intersect with socioeconomic conditions to make voting particularly burdensome on African-American voters and reduce their ability to elect candidates of their choice. What follows is a discussion of several enumerated factors and the two additional, unnumbered factors noted in the Senate report.

Senate Factor Two addresses whether voting is "racially polarized" in the state or jurisdiction.

There is evidence of racially polarized voting in the April 2014 Ferguson-Florissant School Board election. In that election three African-American candidates ran for the three open seats on the School Board under the banner of the Citizens' Task Force on Excellence in Education (herein referred to as the "Coalition"). The Task Force's main opponents were three white candidates, including two incumbent members of the School Board.

To examine voting in the April 2014 Ferguson-Florissant School Board election, I merged census data with the voting precincts in the school district. The data consist of the percentage of votes cast for Coalition candidates in each precinct within the school district and the percentage of the voting age population consisting of non-Hispanic African Americans (herein simply African Americans) in each precinct.³ The figure below plots the

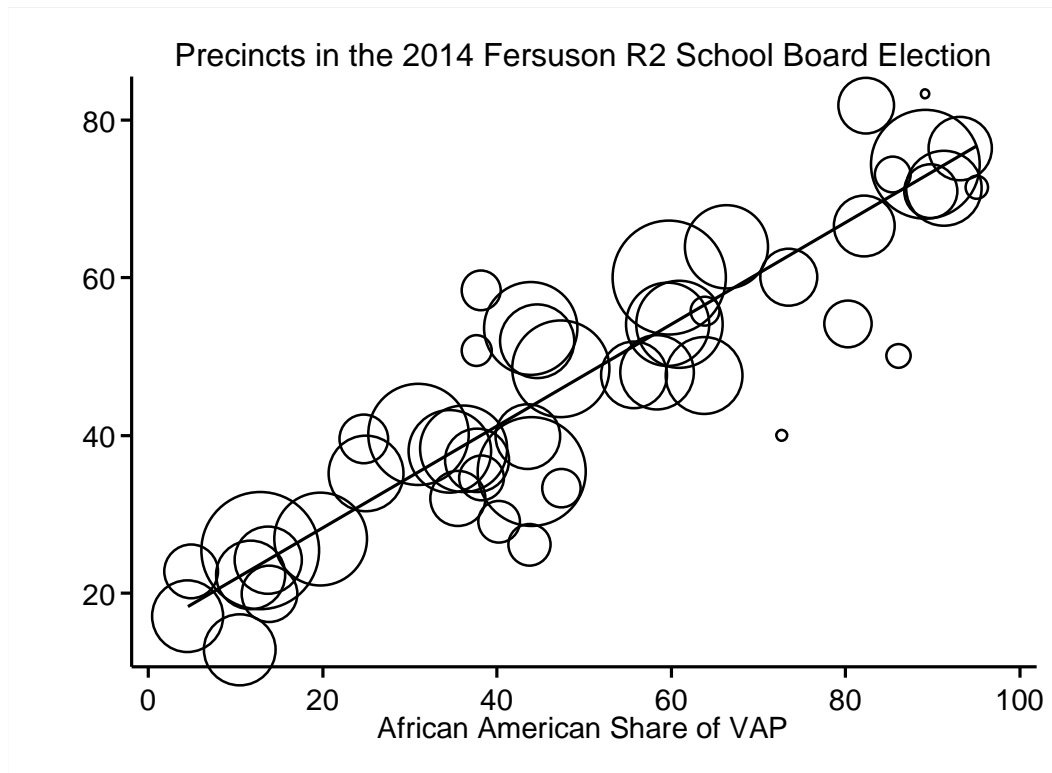
¹ Anthony Downs, *An Economic Theory of Democracy* (Harper Collins, 1957), chapter 14.

² Henry E. Brady and John E. McNulty, "Turning Out to Vote: The Costs of Finding and Getting to the Polling Place," *American Political Science Review* 105 (2011):1-20; John E. McNulty, Conor M. Dowling, and Margaret H. Ariotti, "Driving Saints to Sin: How Increasing the Difficulty of Voting Dissuades Even the Most Motivated Voters," *Political Analysis* 17 (2009):435-455; Sidney Verba, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Voluntarism in American Politics* (Harvard University Press, 1995), chapters 7-9.

³ Race is measured from 2010 Census data. The number of African Americans of voting age is based on people who identified themselves as only African-American or black in the census. Those who identified themselves as partially African-American or black are not included. Those who identified themselves as only white and

vote share of the Coalition candidates by the racial composition of each of the district's 47 voting precincts. The size of each data token is sized in proportion to the number of ballots cast in the precinct. As the figure indicates, there is strong evidence of racially polarized voting in the School Board election. Voter support for Coalition candidates is much stronger in precincts with high percentages of African-American adults, and support for Coalition candidates is much weaker in precincts with relatively small shares of African-American adults. The correlation coefficient reflecting the consistency in the relationship between the African-American percentage of the voting age population in a precinct and the rate of support for Coalition candidates is .94.⁴

Figure 1



In assessing the extent to which the African-American voters supported Coalition candidates at different rates from non-African-American voters, I have derived estimates of these rates for these groups through two analytic procedures. Both of these methods were

not Hispanic constitute 94.6 percent of the non-African Americans of voting age in the Ferguson-Florissant School District.

⁴ The correlation coefficient can achieve values ranging from 1.0 to -1.0. A value of 1.0 indicates that as the African-American percentage of voting age population increases across precincts, there is a perfectly consistent increase in the percentage of the voters supporting Coalition candidates for the Ferguson-Florissant School Board. A value of -1.0 indicates a perfectly consistent decrease in this percentage. A value of 0.0 indicates that this percentage does not vary at all with the African-American percentage of the voting age population.

approved by the United States Supreme Court in *Thornburg v. Gingles*, 478 U.S. 30, 52-53 (1986), for estimating, through precinct-level data, racial differences in candidate preferences. These are homogeneous precinct analysis and ecological regression analysis. Homogeneous precinct analyses simply report the percentage of the voters that supported Coalition candidates in the precincts in which over 80 percent (or 90 percent) of the voting age population was not African-American and in those in which over 80 percent (or 90 percent) was African-American. Regression analyses provide estimates of these rates for African-American and non-African-American voters based on the votes cast in all of the precincts in an election. Ecological regression is based on an assumption that the variables relate to each other across precincts in a linear fashion.

Homogeneous Precinct Analysis

In precincts where the voting age population is more than 80% African-American, Coalition candidates received 71% of the votes cast for FFSD School Board seats (11 precincts).

In precincts that are less than 20% African-American, Coalition candidates received 21% of the votes cast for FFSD School Board seats (8 precincts).

In precincts where the voting age population is more than 90% African-American, Coalition candidates received 74% of the votes cast for FFSD School Board seats (3 precincts).

In precincts that are less than 10% African-American, Coalition candidates received 19% of the votes cast for FFSD School Board seats (2 precincts).

Ecological Regression Estimates

Estimated Coalition vote share among African-American voters: 76%

Estimated Coalition vote share among non-African-American voters: 16%

The results using either of these estimation methods reveal strong evidence of racially polarized voting in the 2014 Ferguson-Florissant School Board election. The estimates indicate that Coalition candidates received a large share of the vote (roughly 70% to 75%) among African-American voters and a small share of the vote (around 15% to 20%) among non-African-American voters. Thus, even though the Coalition candidates received strong voter support in African-American precincts, only one of three Coalition members was elected to the School Board, evidence of the unequal opportunity for African-American voters to elect candidates of their choice to the School Board.

Senate Factor Three examines “the extent to which the state or political subdivision has used voting practices or procedures that tend to enhance the opportunity for

discrimination against the minority group.” Such voting practices can include “large election districts.” Several features of elections for the Ferguson-Florissant School Board increase the opportunity for discrimination against African-American residents.

Seats on the Ferguson-Florissant School Board are filled by at-large elections, so the election district is as large as it can possibly be in the jurisdiction. Previous research finds that racial and ethnic minority voters have more difficulty electing candidates of their choice in local at-large elections than in local district elections. When there is racially polarized voting, a white majority can more effectively determine the winners of all at-large seats.⁵

Elections for the Ferguson-Florissant School Board are also held in April, as required by state law, rather than in November when statewide and federal contests are also on the ballot. Local elections held during off-cycle periods (such as in April) tend to generate relatively low levels of information about the candidates and produce unusually low voter turnout.⁶ In addition, turnout among African-American voters tends to be disproportionately low in off-cycle local elections.⁷ Thus, there tends to be greater representation of African Americans in local government in cities with on-cycle elections than in cities with off-cycle elections.⁸ The Ferguson-Florissant School Board has seven seats, with staggered terms so that two or three seats are typically contested in each election. Local governments with staggered terms tend to generate less voter participation than localities that elect all seats at once.⁹ Furthermore, Ferguson-Florissant School Board elections are nonpartisan. Research indicates that voters have more difficulty learning about candidates and their platforms in nonpartisan elections.¹⁰ In addition, voter turnout

⁵ For example, see Jessica Trounstein and Melody E. Valdin, “The Context Matters: The Effects of Single-Member Versus At-Large Districts on City Council Diversity,” *American Journal of Political Science* 52, 3(2008):554-569; Richard L. Engstrom and Michael D. McDonald, “The Effects of At-Large Versus District Elections on Racial Representation in U.S. Municipalities,” *Electoral Laws and Their Political Consequences*, ed. Bernard Grofman and Arend Lijphart (Agathon Press, 1986).

⁶ Zoltan L. Hajnal and Paul G. Lewis, “Municipal Institutions and Voter Turnout in Local Elections,” *Urban Affairs Review* 38, 5(2003):645-658; J. Eric Oliver, *Local Elections and the Politics of Small-Scale Democracy* (Princeton University Press, 2012); Sarah F. Anzia, *Timing and Turnout: How Off-Cycle Elections Favor Organized Groups* (University of Chicago Press, 2014).

⁷ Zoltan Hajnal and Jessica Trounstein, “Where Turnout Matters: The Consequences of Uneven Turnout in City Politics,” *Journal of Politics* 67, 2(2005):515-535; Kim Quaile Hill and Jan E. Leighley, “The Policy Consequences of Class Bias in State Electorates,” *American Journal of Political Science* 36 (1992):351-365.

⁸ Zoltan L. Hajnal, *America’s Uneven Democracy* (Cambridge University Press, 2010).

⁹ Hajnal, *America’s Uneven Democracy*, pp. 158-160.

¹⁰ Brian F. Schaffner and Matthew J. Streb, “The Partisan Heuristic in Low-Information Elections,” *Public Opinion Quarterly* 66(2002):559-581.

tends to be lower in nonpartisan local elections than in partisan local elections, particularly among African-American voters.¹¹

There is some evidence that turnout in local elections in the municipality of Ferguson is lower among African-American. Much of Ferguson is located within the Ferguson-Florissant School District. A study by Brian Schaffner, Wouter Van Erve, and Ray LaRaja found a substantial racial disparity in voter turnout in the Ferguson municipal election held in April of 2013. They estimated that African-American turnout was 6% in the 2013 election, compared with 17% turnout among white residents of Ferguson. This contrasted with the November 2012 Presidential election, when estimated turnout among blacks and whites in Ferguson was roughly the same.¹²

Senate Factor Four concerns “the exclusion of members of the minority group from candidate slating processes.”

As indicated above, local elections held during off-cycle periods (such as in April) tend to generate relatively low levels of information about the candidates and produce unusually low voter turnout. In low-turnout and low-information local elections, organized interests, such as labor unions, tend to have a disproportionate influence over voters and the election outcome.¹³ As a result, endorsements by labor unions, such as the National Education Association (NEA) and AFL-CIO, can confer a significant advantage for approved candidates in School Board elections.

For this report I examined all contested Ferguson-Florissant School Board elections from 2004 to 2015. I obtained the election results from the St. Louis County Board of Elections. I also searched local news reports and labor newsletters for information about candidate

¹¹ Alex Garlick, “‘The Letter after Your Name’: Party Labels on Virginia Ballots,” *State Politics & Policy Quarterly* 15, 2(2015):147-170; Brian F. Schaffner, Matthew Streb, and Gerald Wright, “Teams without Uniforms: The Nonpartisan Ballot in State and Local Elections,” *Political Research Quarterly* 54, 1(2001):7-30.

¹² Brian Schaffner, Wouter Van Erve, and Ray LaRaja, “How Ferguson Exposes the Racial Bias in Local Elections,” *Washington Post*, August 15, 2014.

¹³ Sarah F. Anzia, *Timing and Turnout: How Off-Cycle Elections Favor Organized Groups* (University of Chicago Press, 2014); Ira Katznelson, *City Trenches: Urban Politics and the Patterning of Class in the United States* (Pantheon Books, 1981); Terry M. Moe, “Teacher Unions and School Board Elections,” *Besieged: School Boards and the Future of Education Politics*, ed. William G. Howell (Brookings Institution Press, 2005), 254-287; Terry M. Moe, “Political Control and the Power of the Agent,” *Journal of Law, Economics, and Organization* 22, 1(2006):1-29.

endorsements. I obtained information about the race of each candidate from local news reports and campaign websites.¹⁴

Local labor organizations endorse African-American candidates infrequently in Ferguson-Florissant School District elections. However, the National Education Association (NEA) appears to endorse candidates in most of the elections. The elections I examined for NEA endorsements (2006, 2011, 2013, 2014, 2015) featured nearly equal numbers of white candidates and African-American candidates running for School Board seats. In these five elections, there were 17 white candidates and 14 African-American candidates (overall, there were 23 white candidates and 19 African-American candidates for School Board between 2004 and 2015).¹⁵ However, 9 of the 12 candidates endorsed by the local NEA affiliate are white. In other words, white candidates are more likely to receive an NEA endorsement than African-American candidates. Furthermore, all 9 of the white candidates endorsed by the NEA won their elections, while all 3 of the African-American candidates endorsed by the NEA lost.

Similarly, the North County Labor Club, a local affiliate of the AFL-CIO labor council's Committee on Political Education (COPE), endorsed 13 candidates in the Ferguson-Florissant School District elections from 2004 through 2015.¹⁶ Overall, 12 of the 13 candidates receiving Labor Club endorsements were white. Furthermore, 11 of the 12 endorsed white candidates won their elections to the Ferguson-Florissant School Board. The one endorsed African-American candidate lost. Thus, African-American candidates for the Ferguson-Florissant School Board have had little success in gaining endorsements from labor organizations during the slating process.

Senate Factor Five assesses the extent to which “minority group members bear the effects of discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process.”

Racial segregation has a long history in Missouri and the St. Louis region. In 1916, the voters of St. Louis, Missouri passed a segregation ordinance designed to keep black people from moving into previously all-white areas of the city.¹⁷ The Supreme Court ruled against

¹⁴ Where needed, I examined photographs of candidates in news reports or web sites to determine candidate race.

¹⁵ No contested elections for the Ferguson-Florissant School Board were held in 2005, 2007, 2008, or 2010. I obtained information about NEA endorsements for all but the 2004, 2009, and 2012 elections.

¹⁶ Information about endorsements by the North County Labor Club in local elections comes from editions of the *Labor Tribune*.

¹⁷ Merle Fainsod, “The Influence of Racial and National Groups in St. Louis Politics: 1908-1928” (Master’s dissertation, Washington University, 1929).

segregation ordinances in 1918, but realtors and white homeowner associations in St. Louis used restrictive covenants to continue to prevent neighborhood integration after 1918. The Supreme Court eventually struck down restrictive covenants in the *Shelley v. Kraemer* decision, a case that originated from a dispute in a north St. Louis neighborhood.¹⁸ But black families that moved into previously all-white neighborhoods in St. Louis in the 1940s were often met with violence.¹⁹

The St. Louis area is the source of two additional landmark court cases that outlawed racial bias in real estate and local zoning practices, *Jones v. Mayer* (1968) and *Black Jack v. United States* (1972).²⁰ The municipality of Black Jack was incorporated in 1970 by white residents in order to thwart plans to build affordable housing in north St. Louis County. The newly incorporated town then passed a zoning ordinance banning construction of multifamily housing. The Supreme Court overturned the zoning ordinance but the municipality of Black Jack, adjacent to the Ferguson-Florissant School District, remains.²¹

Similarly, St. Louis did not pass a public accommodations bill, barring racial discrimination in hospitals, restaurants and hotels, until 1961. Furthermore, the 1961 law did not apply to apartments or other “landlord-tenant” relationships.²² In the 1960s, civil rights groups protested at St. Louis banks that engaged in employment discrimination. Some of the protesters were jailed for up to 9 months.²³ The history of restrictive covenants, racial zoning, and discriminatory real estate practices have made the St. Louis region one of the most segregated regions in the country. For years, local zoning and planning practices in Berkeley and Ferguson, two municipalities in the Ferguson-Florissant School District, were designed to isolate the historically African-American community in neighboring Kinloch.²⁴ In the wake of this history of racial discrimination, the St. Louis region ranks as one of the most segregated metropolitan areas in the country.²⁵

¹⁸ Lana Stein, *St. Louis Politics: The Triumph of Tradition* (Missouri Historical Society Press, 2002).

¹⁹ Colin Gordon, *Mapping Decline: St. Louis and the Fate of the American City* (University of Pennsylvania Press, 2008), pp. 97-98.

²⁰ Gordon, *Mapping Decline*, p. 11.

²¹ E. Terrence Jones, *Fragmented by Design: Why St. Louis Has So Many Governments* (Palmerston & Reed, 2000), p. 34; Gordon, *Mapping Decline*, pp. 147-150.

²² Stein, *St. Louis Politics*, p. 129.

²³ Stein, *St. Louis Politics*, p. 131.

²⁴ Gordon, *Mapping Decline*, chapters 2-3.

²⁵ Douglas Massey and Nancy Denton, “Hypersegregation in U.S. Metropolitan Areas: Black and Hispanic Segregation Along Five Dimensions,” *Demography* 26, 3 (1989):378-379;

The Missouri constitution of 1904 allowed school segregation, which is what occurred in public and private schools in the state.²⁶ In the 1970s and 1980s, federal courts found public school systems in St. Louis City and St. Louis County to be illegally segregated. The case of *U.S. v. Missouri*, 515 F.2d 1365 (8th Cir. 1975), for instance, was eventually settled and a number of remediation plans have been implemented over the past thirty years. During this period, the Ferguson-Florissant School District was expanded under a court order to integrate the neighboring Berkeley and Kinloch School Districts.²⁷

As a result of persistent racial segregation, educational attainment and average personal income is substantially higher for whites than for African Americans in St. Louis County. Furthermore, income disparities between white and black residents of St. Louis County have increased over time.²⁸ The St. Louis region continues to generate substantial racial disparities in unemployment, poverty, and infant mortality, which place St. Louis well above the average for racial disparities among 34 other metropolitan regions of the United States.²⁹

There are also racial disparities in experiences with law enforcement and local courts in the St. Louis region. Concerns about racial profiling in traffic stops by law enforcement led to the passage of a state law in 2000 requiring collection of data on the races of those involved in traffic stops, searches, and arrests.³⁰ The most recent report of these data from the Missouri Attorney General reveal that African Americans are substantially more likely than whites to be pulled over by local law enforcement in Ferguson and Florissant, two municipalities that comprise the largest sections of the Ferguson-Florissant School District.³¹ The Attorney General's report includes a disparity index, which compares the proportion of traffic stops for each race to the proportion of the driving age population for each race in a local municipality. A value of 1 indicates no disparity in traffic stops for that racial group. Values greater than 1 indicate over-representation of that group in traffic

²⁶ Stein, *St. Louis Politics*, p. 16.

²⁷ Daniel B. Keck, "Education and Race in St. Louis City and County," *St. Louis Metromorphosis: Past Trends and Future Directions*, ed. Brady Baybeck and E. Terrence Jones (Missouri Historical Society Press, 2004).

²⁸ Scott Cummings, "Racial Inequality and Developmental Disparities in the St. Louis Region," *St. Louis Metromorphosis: Past Trends and Future Directions*, ed. Brady Baybeck and E. Terrence Jones (Missouri Historical Society Press, 2004); John E. Farley, "Racial Housing Segregation in the St. Louis Area: Past, Present, and Future," *St. Louis Metromorphosis: Past Trends and Future Directions*, ed. Brady Baybeck and E. Terrence Jones (Missouri Historical Society Press, 2004).

²⁹ East-West Gateway Council of Governments, "Racial Disparity," in *Where We Stand*, 6th edition (St. Louis, 2011). See also C. Jaret, L. W. Reid, and R. Adelman, "Black-White Income Inequality and Metropolitan Socioeconomic Structure," *Journal of Urban Affairs* 25(2003):305-333.

³⁰ Section 590.650, RSMo (2000).

³¹ Missouri Attorney General – Chris Koster, *2013 Annual Report: Missouri Vehicle Stops*, Executive Summary (Jefferson City, MO, 2014); and Appendix B: Disparity Index Scores for 2000-2013 Data Compare.

stops; values less than 1 indicate under-representation of that group in traffic stops. For 2013, the disparity index for black people in Florissant is 2.92 while the disparity index for white people in Florissant is 0.39, meaning that the rate of traffic stops for black people in Florissant is roughly 7.5 times higher than for white people. For 2013, the disparity index for black people in Ferguson is 1.37 while the disparity index for white people in Ferguson is 0.38, meaning that the rate of traffic stops for black drivers in Ferguson is roughly 3.6 times higher than for white drivers. Similarly, the search rates and arrest rates for those who have been stopped by police are higher for black people than for white people in Ferguson and Florissant even though the proportion of searches that yield contraband are substantially higher for whites than for blacks in both municipalities.

Furthermore, the Department of Justice recently released a report which concludes that the Ferguson police department engages in an unconstitutional pattern of stops and arrests.³² The report also finds that Ferguson municipal court practices are abusive. Like many municipalities in north St. Louis County, Ferguson relies on traffic fines and municipal court fees for roughly one-quarter of its revenues.³³ Finally, the DOJ report finds that law enforcement and municipal court practices in Ferguson disproportionately harm African-American residents, eroding public trust in local government institutions among African-American residents.³⁴ Neighborhoods with increased contact with the criminal justice system produce lower levels of voter turnout by withdrawing economic resources needed to overcome the costs of voting, by fostering less favorable attitudes toward government, and by excluding people from social networks that are critical to political participation.³⁵

The racial disparities in education, income, police engagement and other outcomes shape the impact of local election practices on minority voting. Many studies demonstrate that voter participation is influenced by the same demographic characteristics. For example, many studies find that educational attainment is a strong predictor of whether a person votes.³⁶ This is largely because education lowers the costs of voting by providing

³² U.S. Department of Justice, Civil Rights Division, *Investigation of the Ferguson Police Department*, March 4, 2015.

³³ Better Together, Public Safety – Municipal Courts, October 2014.

³⁴ U.S. Department of Justice, Civil Rights Division, *Investigation of the Ferguson Police Department*, March 4, 2015.

³⁵ Traci Burch, *Trading Democracy for Justice: Criminal Convictions and the Decline of Neighborhood Political Participation* (University of Chicago Press, 2013).

³⁶ Steven J. Rosenstone and John Mark Hansen, *Mobilization, Participation and Democracy in America* (Macmillan, 1993); Sidney Verba, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Volunteerism in American Politics* (Harvard University Press, 1995); Rachel Milstein Sondheimer and Donald P. Green, "Using Experiments to Estimate the Effects of Education on Voter Turnout," *American Journal of Political Science* 54(2010):174-189; Oliver, *Local Elections and the Politics of Small-Scale Democracy*; Hajnal, *America's Uneven Democracy*.

information about the electoral process, civic and language skills, and confidence that facilitates voter participation. Income also influences voter participation, as people with lower incomes are substantially less likely to vote than people with higher incomes.³⁷ Education and income are predictive mainly because they lower the costs of voting. The racial disparities in education and income naturally produce disparities in voter participation.

Furthermore, there is recent evidence that health influences voter participation. Having a disability reduces the likelihood of voting by roughly 20 percentage points, because it increases the costs associated with voting.³⁸ More specifically, higher mortality rates for African Americans contribute to lower voter participation rates for African Americans.³⁹

In summary, in the St. Louis region, including the communities in the Ferguson-Florissant School District, there are substantial and enduring racial disparities in areas such as income, employment, education, criminal justice, and health. These disparities are frequently larger than those in other parts of Missouri or the rest of the United States. These disparities are relevant to Section 2 of the VRA because these demographic characteristics are strongly associated with the likelihood of voting, particularly in local elections. Because African Americans in the Ferguson-Florissant School District bear the effects of discrimination in these areas, they are more likely than whites to be deterred from voting by the additional burdens imposed by the election procedures in the district.

Senate Factor Seven evaluates “the extent to which members of the minority group have been elected to public office in the jurisdiction.”

African-American candidates have experienced a very difficult time getting elected to the Ferguson-Florissant School Board. For this report I examined all contested Ferguson-Florissant School Board elections from 2004 to 2015. I obtained the election results from the St. Louis County Board of Elections. I also searched local news reports for additional information about the candidates, including their race and incumbency status.

³⁷ Hajnal, *America's Uneven Democracy*; Anzia, *Timing & Turnout*; Verba, Schlozman, and Brady, *Voice and Equality*.

³⁸ Lisa Schur, Todd Shields, Douglas Kruse, and Kay Schriener, “Enabling Democracy: Disability and Voter Turnout,” *Political Research Quarterly* 55(2002):167-190.

³⁹ Javier M. Rodriguez, Arline T. Geronimus, John Bound, and Danny Dorling, “Black Lives Matter: Differential Mortality and the Racial Composition of the U.S. Electorate, 1970-2004,” *Social Science & Medicine* forthcoming (2015): [doi:10.1016/j.socscimed.2015.04.014](https://doi.org/10.1016/j.socscimed.2015.04.014).

This analysis includes eight elections (2004, 2006, 2009, 2011, 2012, 2013, 2014, and 2015).⁴⁰ In those eight elections, 23 white candidates ran for seats on the School Board, and 16 of them won, a 69.6% success rate. Almost as many African-American candidates sought office as white candidates. In those same eight elections, 19 African-American candidates ran for seats on the School Board, and only 2 won, a 10.5% success rate. Clearly, white candidates have had more success winning seats on the Ferguson-Florissant School Board.

It's not that African-American candidates receive little voter support in FFSD elections. African-American candidates received, on average, 1,846 votes across the eight elections examined in this report. As explained above, African-American candidates also had strong support among voters in African-American precincts. However, those votes were usually insufficient to win a seat on the School Board, since white candidates received, on average, 2,602 votes in those same elections.

It does not appear that African-American candidates lose so frequently because they are weaker candidates. For example, incumbent candidates tend to have an advantage in local elections, because of a greater familiarity with the election process and with local issues and because of an advantage in name recognition. In addition, incumbents are less likely to lose in at-large local elections in the United States.⁴¹ However, incumbency did not seem to help African-American candidates in Ferguson-Florissant School District elections. White incumbents won reelection 75% of the time (in 9 out of 12 cases) in Ferguson-Florissant School Board elections. By comparison, the three African-American incumbents who ran for reelection lost in each instance (in 2006, 2011, and 2013), despite their tenure on the School Board.

Academic research has found that blacks and Latinos are more likely to vote when their local governments have larger percentages of black and Latino elected officials.⁴² Seeing one's preferred candidate win sometimes makes the benefits of voting more evident. Thus, the history of underrepresentation of African Americans on the Ferguson-Florissant School Board has likely contributed to their lower levels of electoral participation in local elections.

⁴⁰ No contested elections for the Ferguson-Florissant School Board were held in 2005, 2007, 2008, or 2010.

⁴¹ J. Eric Oliver, *Local Elections and the Politics of Small-Scale Democracy* (Princeton University Press, 2012, chapter 4).

⁴² Susan A. Banducci, Todd Donovan, and Jeffrey A. Karp, "Minority Representation, Empowerment, and Participation," *Journal of Politics* 66, 2(2004):534-556; Amir Shawn Fairdosi and Jon C. Rogowski, "Candidate Race, Partisanship, and Political Participation," *Political Research Quarterly* 68, 2(2015):337-349.

The **first additional, unnumbered factor** in the Senate report is whether “there is a lack of responsiveness on the part of elected officials to the particularized needs of minority group members.”

One piece of evidence for a lack of responsiveness involves the suspension of Art McCoy, the first African-American superintendent of the Ferguson-Florissant School District. While roughly three-quarters of the students in the district are African-American, the School Board that suspended McCoy was all white. McCoy was suspended in November 2013 by the School Board because of “differences in focus and philosophy.”⁴³ McCoy eventually resigned in March of 2014 while facing a hearing for his removal. Neither the School Board nor McCoy elaborated on the reasons for his suspension and resignation. The lack of transparency about McCoy’s suspension created frustration in the local community and fueled protests of the board’s decision.⁴⁴

The **second additional, unnumbered factor** in the Senate report is whether a policy, such as the use of April at-large elections, is “tenuous.” The traditional rationale for at-large elections is that they are purported to produce “better-qualified” officials who will make decisions that are best for the entire municipality rather than for a particular neighborhood or ethnic group.⁴⁵ There are likely many varying definitions of the best interests of a municipality or school district. Election procedures that minimize the representation of minority groups are difficult to substantiate as serving the interests of the entire community. The court order that created the Ferguson-Florissant School District required that two seats on the Ferguson School Board be vacated, to be replaced by two members, one each designated by the Berkeley and Kinloch school districts that were merged with the new district.⁴⁶ Thus, two de facto districts, rather than at-large elections, were used for the purpose of integrating the Ferguson-Florissant School District. Since the Kinloch school district was all-black at the time, this ensured desegregation in the newly created Ferguson-Florissant School Board.

⁴³ Jessica Bock, “Suspension of Ferguson-Florissant Superintendent Questioned,” *St. Louis Post-Dispatch*, November 9, 2013 (http://www.stltoday.com/news/local/education/suspension-of-ferguson-florissant-superintendent-questioned/article_d26b81af-7010-55b1-8233-50b33a08bb09.html).

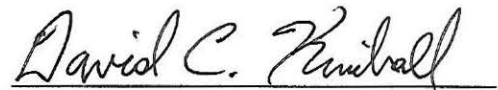
⁴⁴ Rebecca Rivas, “Suspended Superintendent and Community Still Waiting for Explanation,” *St. Louis American*, November 27, 2013 (http://www.stlamERICAN.com/news/local_news/article_d78d5a36-570f-11e3-a52c-0019bb2963f4.html).

⁴⁵ Engstrom and McDonald, “The Effect of At-Large Versus District Elections on Racial Representation in U.S. Municipalities.”

⁴⁶ *United States v. Missouri*, 515 F.2d 1365, 1373 (8th Cir. 1975).

I conclude that the use of at-large, nonpartisan, staggered, off-cycle elections has a disproportionate impact on African Americans in the Ferguson-Florissant School District, particularly on voter participation and the ability to elect candidates of their choice. These election procedures disproportionately increase the costs of voting on African-American voters for whom voting is already significantly more costly with fewer perceived benefits, in terms of electoral success or responsive government or public services. For the reasons described above, it is my opinion that elections in the Ferguson-Florissant School District result in minority voters being denied an equal opportunity to influence the outcome of elections or elect candidates of their choice.

Executed on May 27, 2015.

A handwritten signature in cursive script, reading "David C. Kimball", written in black ink on a white background.

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Curriculum Vitae

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Education

Ph.D., December 1997, Ohio State University (Political Science)

B.A., May 1989, Brown University, magna cum laude (Political Science, Applied Mathematics)

Employment

Professor, University of Missouri-St. Louis, 2012 - present

Associate Professor, University of Missouri-St. Louis, 2004-2012

Assistant Professor, University of Missouri-St. Louis, 2001-2004

Assistant Professor, Southern Illinois University at Carbondale, 1998-2001

Environmental Protection Specialist, U.S. Environmental Protection Agency, 1989-1992

Refereed Books

Martha Kropf and David C. Kimball. 2012. *Helping America Vote: The Limits of Election Reform*. New York: Routledge.

Richard G. Niemi, Herbert F. Weisberg, and David C. Kimball, editors. 2011. *Controversies in Voting Behavior*, 5th ed. Washington, DC: CQ Press.

Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, David C. Kimball, and Beth L. Leech. 2009. *Lobbying and Policy Change: Who Wins, Who Loses, and Why*. Chicago: University of Chicago Press.

[Winner of the 2010 Leon D. Epstein Outstanding Book Award from the Political Organizations and Parties section of the American Political Science Association]

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P. Frances Gouzien and David C. Kimball. 2015. "Race and the Reelection of the Longest Serving Mayor of St. Louis." In *Local Politics and Mayoral Elections in 21st Century America: The Keys to City Hall*, eds. Sean D. Foreman and Marcia L. Godwin. New York: Routledge, pp. 203-220.

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- "Voter Experience with Cumulative Voting" (with Martha Kropf): *Social Science Quarterly*.
- "From National Borders to Polling Places: Examining Beliefs about Noncitizens as Voters in U.S.

Elections” (with Adriano Udani): *Journal of Politics*.

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“The Political Geography of Provisional Voting” (with Brady Baybeck).

“Lessons from the 2010 Prop A Campaign” (with Todd Swanstrom, Tom Shrout, and Laura Wiedlocher)

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(http://www.pewcenteronthestates.org/report_detail.aspx?id=54831)

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(http://brennan.3cdn.net/5ee5037f892143b801_gxm6i5x3v.pdf)

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(<http://www.electionreformproject.org/Resources/314eaad7-6dc9-4dad-b6e4-5daf8f51b79e/r1/Detail.aspx>), October 2007.

Lawrence D. Norden, Jeremy M. Creelan, David Kimball, and Whitney Quesenbery. 2006. *The Machinery of Democracy: Usability of Voting Systems*. Report issued by the Brennan Center for Justice at NYU Law School, August 2006.

Other Publications

David C. Kimball. 2014. “Evidence that Negative Views of Minority Voters Influence Public Worries about Election Fraud.” Scholars Strategy Network, January 2014
(http://www.scholarsstrategynetwork.org/sites/default/files/ssn_basic_facts_kimball_on_voting_rights_and_negative_views_of_minority_voters.pdf).

David C. Kimball. 2013. “Judges are not Social Scientists (Yet).” *Election Law Journal* 12(3):324-326.

David C. Kimball. 2013. “America’s Voting Problems Occur Mostly in Urban Areas.” Scholars Strategy Network, April 2013
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Todd Swanstrom, David Kimball, and Tom Shrout. 2011. “A Surprising Victory for Transit in St. Louis.” *Shelterforce*, Fall, 4 pages.

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David C. Kimball, Chris T. Owens, and Katherine M. Keeney. 2003. “Unrecorded Votes and Election Reform.” *Spectrum: The Journal of State Government* 76(1):34-37.

David C. Kimball, Chris T. Owens, and Matthew J. McLaughlin. 2002. “Straight Party Ballots in State Legislative Elections.” *Spectrum: The Journal of State Government* 75(4):26-28.

David Kimball. 2001. *Interpreting the 2000 Elections*. Boston: Houghton Mifflin.

Commentary

“[Photo ID is not needed for elections](#),” *St. Louis Beacon*, November 12, 2012.

“The Ohio Ballot Experiment of 2008,” *Election Law@Moritz*, October 29, 2008,
<http://moritzlaw.osu.edu/electionlaw/commentary/articles.php?ID=3165>

Teaching Experience

Undergraduate:

Survey Research Practicum (UMSL), Winter 2009, Winter 2013
Senior Seminar (UMSL), Fall 2011, Winter 2012
Political Analysis (UMSL), Fall 2002, Fall 2004, Fall 2007, Fall 2008, Fall 2009
Public Opinion and Political Participation (UMSL), Fall 2014
Politics and the Media (UMSL), Winter 2002, Winter 2003, Winter 2004, Winter 2006
Political Parties and Elections (UMSL), Fall 2001, 2002, 2004, 2006, 2008, 2010, 2012, 2013, 2014
Politics and Film (UMSL), Winter 2010
Interest Group Politics (UMSL), Fall 2007, Winter 2010
Introduction to Political Science Research Methods (SIU), Spring 2000, Fall 2000, Spring 2001
American Political Parties (Southern Illinois University), Fall 1999, Spring 2000
Political Campaigns and Elections (Southern Illinois University), Fall 1998, Fall 2000
Introduction to American Government (Southern Illinois University), Fall 1998, Spring 1999
Introduction to Political Behavior (Ohio State University), Summer 1995
Techniques of Political Analysis (Ohio State University), Fall 1995, Winter 1996, Spring 1996

Graduate:

Advanced Techniques in Policy Research (UMSL), Fall 2010
Survey Research Practicum (UMSL), Winter 2009, Winter 2013
Mass Political Behavior (UMSL), Winter 2007, Winter 2014
Pro-Seminar in American Politics (UMSL), Fall 2003, Winter 2005, Fall 2006, Winter 2008, Fall 2009, Winter 2011, Fall 2012, Fall 2013, Winter 2015
Intermediate Techniques in Policy Research (UMSL), Winter 2002, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015
Regression Analysis in Political Science (Southern Illinois University), Spring 2001
Seminar in Political Behavior (Southern Illinois University), Fall 1999
Pro-Seminar in American Politics (Southern Illinois University), Spring 1999

Awards & Grants

University of Missouri Research Board Grant, “Attitudes toward Immigrants and Voter Fraud

Perceptions,” (\$18,500), June 2014.

UM-St. Louis, College of Arts and Sciences, “Attitudes toward Immigrants and Voter Fraud Perceptions,” (\$12,500), May 2014.

UM-St. Louis, College of Arts and Sciences, “Reconsidering Measures of Partisan Ambivalence,” (\$4,500), March 2012.

University of Missouri Research Board Grant, “Controversies in Voting Behavior,” (\$6,900), June 2010.

Pew Charitable Trusts research grant, “Proposal to Design, Implement and Analyze Surveys of Pollworker Training Practices,” with Brady Baybeck, (\$25,500), September 2008.

Small Grants Award, from the University of Missouri-St. Louis, Office of Research Administration (\$430), March 2007.

Small Grants Award, from the University of Missouri-St. Louis, Office of Research Administration (\$800), November 2005.

National Science Foundation Research Grant, “Ballot Design and Unrecorded Votes,” with Martha Kropf, SES-0453814 (\$133,882), December 2004 – November 2007.

Grant from Public Policy Research Center, University of Missouri - St. Louis, for study of St. Louis polling places (\$700), October, 2004-March 30, 2005.

Small Grants Award, from the University of Missouri-St. Louis, Office of Research Administration (\$1,000), October 2004.

Emerging Scholar Award, from the Political Organizations and Parties section of the American Political Science Association, September 3, 2004.

Small Grants Award, from the University of Missouri-St. Louis, Office of Research Administration (\$936), October 2003.

Public Policy Research Center Fellow, University of Missouri-St. Louis (\$1000), July 1, 2003-June 30, 2004.

University of Missouri Research Board Grant, “Explaining Unrecorded Votes in Elections,” with Martha Kropf (\$38,468), December 2002.

Small Grants Award, from the University of Missouri-St. Louis, Office of Research Administration (\$942), November 2002.

Public Policy Research Center Fellow, University of Missouri-St. Louis (\$2250), July 1, 2002-June 30, 2003.

Research Award, “Campaign Contributions and Washington Lobbying,” from the University of Missouri-St. Louis, Office of Research Administration (\$7,630), February 2002

Small Grants Award, from the University of Missouri-St. Louis, Office of Research Administration (\$917), October 2001.

National Science Foundation Research Grant, “Lobbying and Issue Definition,” with Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, and Beth L. Leech, SES-0111224 (\$235,930), August 2001 – June 2004.

National Science Foundation Research Grant, “Collaborative Research on Lobbying,” with Frank R. Baumgartner, Jeffrey M. Berry, Marie Hojnacki, and Beth L. Leech, SBR-9905195 (\$80,569), June 1999 – August 2001.

Dean’s Appreciation Award, College of Liberal Arts, SIUC (\$500), January 2000.

Henry R. Spencer Award for the outstanding dissertation defended in political science at Ohio State University during the 1997-98 academic year

Francis R. Aumann Award (given annually by the Ohio State University Political Science department for the best conference paper written by a graduate student) with Barry Burden, 1997

Jacobina Aman Award (given annually by the Ohio State University Political Science department for the best seminar paper written by a graduate student), 1996

Invited Participant, Political Methodology Section summer meetings, 1995, 1997 and 1998

Multiple Year University Fellowship, Ohio State University, 1992-93 and 1996-97
 Phi Beta Kappa, Brown University, 1989
 Sigma Xi, Brown University, 1989

Conference Presentations

- “Do Anti-Immigrant Attitudes and Emotions Inflate Voter Fraud Beliefs in the United States?” (with Adriano Udani). 2015. Midwest Political Science Association, Chicago.
- “News Coverage of Voter Fraud in the 2008 and 2012 Elections” (with Brian Fogarty, Patricia Gouzien, and Eric Vorst). 2015. Midwest Political Science Association, Chicago.
- “Explaining Public Beliefs about Voter Fraud” (with Adriano Udani). 2014. American Political Science Association, Washington, DC.
- “Under the Radar: State Associations and Election Administration” (with Brady Baybeck). 2014. Midwest Political Science Association, Chicago.
- “Voter Participation with Ranked Choice Voting in the United States.” 2014. Workshop on Electoral System Reform, Stanford University.
- “News Coverage of Voter Fraud in the 2012 Elections” (with Brian Fogarty, Jessica Curtis, Pat Gouzien, and Eric Vorst). 2014. Southern Political Science Association, New Orleans.
- “Political Identity and Party Polarization in the American Electorate” (with Bryce Summary and Eric Vorst). 2013. Conference on The State of the Parties: 2012 and Beyond, Akron, OH.
- “Reconsidering the Measure of Partisan Ambivalence” (with Bryce Summary). 2013. Midwest Political Science Association, Chicago.
- “Why Are Voting Lines Longer for Urban Voters?” 2013. Southwest Social Science Association, New Orleans.
- “The Policy Views of Local Election Officials” (with Martha Kropf, Don Moynihan, Carol Silva, and Brady Baybeck). Nonpartisan Model in Redistricting, Campaign Finance, and Election Administration Conference, UC Irvine Law School, Irvine, CA.
- “Size Matters in Election Administration” (with Brady Baybeck). 2012. HAVA @ 10 Conference, Ohio State University Moritz College of Law, Columbus, OH.
- “The Political Geography of Voter Support for Public Goods” (with Will Winter and Laura Wiedlocher). 2012. Midwest Political Science Association, Chicago.
- “Partisanship and Innovation in Local Election Administration” (with Brady Baybeck). 2012. Midwest Political Science Association, Chicago.
- “Who Cares About the Lobbying Agenda?” (with Jeff Berry, Frank Baumgartner, Marie Hojnacki, Beth Leech, and Bryce Summary). 2011. American Political Science Association, Seattle.
- “Cumulative Voting: The Case of Port Chester, New York” (with Martha Kropf). 2011. Midwest Political Science Association, Chicago.
- “Advocates and Interest Representation in Policy Debates” (with Jeff Berry, Frank Baumgartner, Marie Hojnacki, Beth Leech, and Kathleen Marchetti). 2010. American Political Science Association, Washington, DC.
- “Helping America Vote: The Limits of Election Reform” (with Martha Kropf). 2010. American Political Science Association, Washington, DC.
- “Is There a Partisan Way to Administer Elections?” (with Brady Baybeck). 2010. Midwest Political Science Association, Chicago.
- “Race, Class and Religion in the Southern Realignment” (with Matthew Owings and Michael Artime). 2010. Midwest Political Science Association, Chicago.
- “Authors Meet Critics: Lobbying and Policy Change” (with Frank Baumgartner). 2010. Southern

- Political Science Association, Atlanta.
- “Poll Workers and Election Administration: The View from Local Officials” (with Brady Baybeck, Cassie Gross and Laura Wiedlocher). 2009. Midwest Political Science Association, Chicago.
- “The Political Geography of Provisional Ballots” (with Brady Baybeck). 2008. American Political Science Association, Boston.
- “Advanced Voting and Residual Votes in the 2004 Presidential Election” (with Martha Kropf). 2008. American Political Science Association, Boston.
- “The Political Geography of Provisional Voting” (with Brady Baybeck). 2008. Midwest Political Science Association, Chicago.
- “Partisanship and Provisional Voting” (with Martha Kropf and Tim Vercellotti). 2008. Midwest Political Science Association, Chicago.
- “Democracy at Work? School Board Elections and Reform in St. Louis” (with Lana Stein). 2007. American Political Science Association, Chicago.
- “Washington: The Real No-Spin Zone” (with Jeff Berry, Frank Baumgartner, Marie Hojnacki, and Beth Leech). 2007. American Political Science Association, Chicago.
- “Election Administration Six Years After Florida” (with Martha Kropf). 2007. Midwest Political Science Association, Chicago.
- “Does Money Buy Power? Interest Group Resources and Policy Outcomes” (with Marie Hojnacki, Frank Baumgartner, Jeff Berry, and Beth Leech). 2007. Midwest Political Science Association, Chicago.
- “Goals, Salience, and the Nature of Advocacy” (with Marie Hojnacki, Frank Baumgartner, Jeff Berry, and Beth Leech). 2006. American Political Science Association, Philadelphia.
- “Ballot Design and Voting in the 2004 Elections” (with Martha Kropf). 2006. American Political Science Association, Philadelphia.
- “Uncertainty, Ambivalence, and Ticket-Splitting in the United States.” 2006. Conference on Democracy, Divided Government, and Split-Ticket Voting, Harvard University, Cambridge, MA.
- “Ballot Initiatives and Residual Votes in the 2004 Presidential Election” (with Martha Kropf). 2006. American Association for Public Opinion Research, Montreal.
- “Street-Level Bureaucrats of Elections: Selection Methods for Local Election Officials” (with Martha Kropf). 2006. DeVoe Moore Center Critical Issues Symposium, Florida State University.
- “Ballot Initiatives and Residual Votes in the 2004 Presidential Election” (with Martha Kropf). 2006. Southern Political Science Association, Atlanta.
- “The Growing Polarization of American Voters” (with Cassie Gross). 2005. Conference on The State of the Parties: 2004 and Beyond, Akron, OH.
- “Street-Level Bureaucrats of Elections: Selection Methods for Local Election Officials” (with Martha Kropf). 2005. Conference on Independent Election Administration: Who Draws the Lines and Who Counts the Votes? Moritz College of Law, Ohio State University.
- “Assessing Election Reform Four Years After Florida” (with Martha Kropf). 2005. Southern Political Science Association, New Orleans.
- “Ballot Design and Unrecorded Votes in the 2002 Midterm Election” (with Martha Kropf). 2004. American Association for Public Opinion Research, Phoenix.
- “Early and Absentee Voting and Unrecorded Votes in the 2002 Midterm Election” (with Martha Kropf). 2004. Midwest Political Science Association, Chicago.
- “Ballot Design and Unrecorded Votes in the 2002 Midterm Election” (with Martha Kropf). 2003. American Political Science Association, Washington.
- “Election Reform in Illinois: Gridlock (Illinois Ain’t Ready for Election Reform Yet).” 2003. Conference on Election Reform: Politics and Policy, Washington, DC.
- “Voting Methods Two Years After Florida.” 2003. Midwest Political Science Association, Chicago.

- "The Elimination of One-Punch Voting and Its Consequences" (with Chris Owens and Matt McLaughlin). 2002. Southern Political Science Association, Savannah, GA.
- "Straight Party Ballot Options and State Legislative Elections" (with Chris Owens and Matt McLaughlin). 2002. Conference on State Politics and Policy, Milwaukee.
- "Who's Afraid of an Undervote?" (with Chris Owens and Katherine McAndrew). 2001. Southern Political Science Association, Atlanta.
- "A Party Salience Theory of Split-Ticket Voting." 2001. Midwest Political Science Association, Chicago.
- "Congressional Elections, Strategic Politicians, and Split-Ticket Voting," (with Barry Burden). 2001. Public Choice Society, San Antonio.
- "As Good as it Gets? Public Support for Congress in a Partisan Climate." 2000. American Political Science Association, Washington.
- "Collaborative Research on Lobbying" (with Frank Baumgartner, Jeff Berry, Marie Hojnacki, and Beth Leech). 2000. American Political Science Association, Washington.
- "Where's the Party? Eliminating One-Punch Voting" (with Chris Owens). 2000. Midwest Political Science Association, Chicago.
- "The Timing of Voting Decisions in Presidential Campaigns" (with Janet M. Box-Steffensmeier). 1999. Midwest Political Science Association, Chicago.
- "Seeing the Forest and the Trees: Explaining Split-Ticket Voting within States and Districts" (with Barry Burden). 1998. American Political Science Association, Boston.
- "The Contribution and Lobbying Strategies of PAC Sponsors in Committee" (with Marie Hojnacki). 1998. American Political Science Association, Boston, September 1998.
- "The Link Between Party Polarization and Divided Government." 1998. Midwest Political Science Association, Chicago.
- "Electoral Change and Swing Voters in Congressional Elections." 1997. Southern Political Science Association, Norfolk, VA.
- "Who Are the Swing Voters in Congressional Elections?" 1997. American Political Science Association, Washington, DC.
- "Linking Representation and House Member Behavior to Constituents' Voting Behavior" (with Janet Box-Steffensmeier and Katherine Tate). 1997. American Political Science Association, Washington, DC.
- "A New Approach to the Study of Ticket-Splitting" (with Barry Burden). 1997. 14th Annual Political Methodology Conference, Columbus, OH.
- "Breaking up Isn't so Hard to do: Ecological Inference and Split-Ticket Voting in the 1988 Presidential Election" (with Barry Burden). 1997. Midwest Political Science Association, Chicago.
- "Organized Interests' Lobbying Strategies in Committee" (with Marie Hojnacki). 1997. Midwest Political Science Association, Chicago.
- "Organized Interests and the Decision of Whom to Lobby in Congress" (with Marie Hojnacki). 1996. American Political Science Association, San Francisco.
- "Socialization to Congressional Roles" (with Janet M. Box-Steffensmeier and Anthony Mughan). 1996. Workshop of Parliamentary Scholars and Parliamentarians, Oxfordshire, U.K.
- "Linking Representation and Campaigns to Voting Behavior" (with Janet Box-Steffensmeier and Katherine Tate). 1996. NES Congressional Research and Development Conference on Congressional Elections, Chicago.
- "Living Up to Expectations: Public Attitudes Toward Congress" (with Samuel C. Patterson). 1995. American Political Science Association, Chicago.
- "Assessing Congress: The Priming Effects of the Partisan Context and the Electoral Cycle." 1995. 12th Annual Political Methodology Summer Conference, Bloomington, IN.
- "Attitudes Toward Congress: To What Extent Do People Make Use of Cues Provided by Current Events

and Elite Discourse?" 1995. Midwest Political Science Association, Chicago.
"Party Loyalty in the Ohio House of Representatives" (with Laura W. Arnold, Rosalee A. Clawson, and Zoe M. Oxley). 1994. Southern Political Science Association, Atlanta.
"The 1992 Election: Party Identification and Beyond," (with Herbert F. Weisberg). 1993. American Political Science Association, Washington.

Professional Activities and University Service

Boards:

Election Law Journal editorial board (2013 -)

Journal Manuscript Reviews:

American Journal of Political Science, American Politics Quarterly, American Politics Research, American Political Science Review, American Review of Public Administration, Electoral Studies, Illinois Political Science Review, Journal of Politics, Journal of Theoretical Politics, Legislative Studies Quarterly, Policy Studies Journal, Political Behavior, Political Psychology, Political Research Quarterly, Publius: The Journal of Federalism, Social Science History, Social Science Quarterly, State Politics and Policy Quarterly, The American Review of Politics

Book Manuscript Reviews:

CQ Press, Oxford University Press, Palgrave-Macmillan, Routledge, Sage, John Wiley & Sons

Grant Reviews:

National Science Foundation, University of Missouri Research Board, U.S. Election Assistance Commission

Other Reviews:

Pew Make Voting Work Initiative, Time-Sharing Experiments in the Social Sciences, Election Performance Index Advisory Group
External reviewer, Indiana State University Department of Political Science, 2014
Chair, campus review team, UMSL Department of Marketing, 2014

Panel Discussant/Chair: 1999 Political Methodology conference, 2000 MPSA conference, 2001 MPSA conference, 2002 MPSA conference, 2004 APSA conference, 2005 MPSA conference, 2005 APSA conference, 2010 SPSA conference, 2010 MPSA conference, 2011 MPSA conference

Meeting section organizer:

Parties and Interest Groups, 2004 SWPSA annual conference

APSA Political Organizations and Parties Outstanding Award Committee, 2013

UMSL committee service:

Graduate Director, UMSL Department of Political Science, 2012 - present
UMSL Graduate Council, 2008-2010, 2013-present
UMSL Faculty Teaching and Service Awards Committee, 2014 - present
UMSL ICPSR Representative, 2006-present

UMSL Faculty Senate Research Committee Spring Panel, 2008-2010
Faculty Advisor, Midwest Model United Nations, 2009-present
UMSL University Libraries Committee, 2005-2006
Undergraduate Committee, UMSL Department of Political Science, 2001-2005
Graduate Committee, UMSL Department of Political Science, 2004, 2005-present
Esayan Committee, UMSL Department of Political Science, 2002-2007
Faculty Advisor, Gamma Iota chapter of Pi Sigma Alpha, SIUC 1999-2001
Faculty Advisor, SIUC College Democrats, 2000-2001
Graduate Studies Committee, SIUC Department of Political Science, 1998-1999
Undergraduate Studies Committee, SIUC Department of Political Science, 1999-2001
Executive Committee, SIUC Department of Political Science, 2000-2001

Served on 4 departmental 3rd year review committees (chair of one)
Served on 18 dissertation committees and 12 master's committees.

Occasional source for media coverage of American politics, including the Associated Press, *Time*, *New York Times*, *Washington Post*, *Chicago Tribune*, *Minneapolis Star-Tribune*, *St. Louis Post-Dispatch*, *St. Louis Business Journal*, and local television and radio.

Professional consulting:

SIEU et al. v. Husted, et al. 2012. Retained by the plaintiffs as an expert on provisional voting.

Stenger, et al. v. Kellett, et al. 2012. Retained by the plaintiffs as an expert witness to propose new district boundaries for the St. Louis County Council.

Pearson, et al. v. Koster, et al. 2012. Retained by Gerald P. Greiman (representing the plaintiffs) as an expert witness to testify in state court on the compactness of congressional districts in the proposed map for Missouri.

Consultant for FairVote and the Village of Port Chester, New York in 2010. Martha Kropf and I conducted an exit poll to assess a new cumulative voting system and an educational program for the Port Chester Board of Trustees election.

Contributor to a report on election administration in Ohio, Final Report: 2009-2009 Ohio Election Summit and Conference, Lawrence Norden, with Jesse Allen, Brennan Center for Justice, NYU School of Law.

American Civil Liberties Union of Ohio, et al. v. Jennifer Brunner, et al. 2008. Retained by the ACLU (representing the plaintiffs) as an expert witness in a legal dispute over the selection of voting equipment in Cuyahoga County, Ohio.

Member of the Citizen Audit Panel for the St. Louis City Board of Election Commissioners, 2006.

Consultant for RegionWise in 2004. Helped produce the *One Vote* issue statement to inform voters of their rights and responsibilities, as well as new election procedures in 2004.

Working Families Party et al. v. New York City Board of Elections et al. 2003. Retained by the

Brennan Center for Justice (representing the plaintiffs) as an expert witness in a legal dispute over the administration of mechanical lever voting machines in New York City.

Consultant for RegionWise in 2003. Created precinct maps with voting data for St. Louis area counties for press packets on local election reform efforts.

Consultant for the Missouri Legislative Academy (a program to inform members of the Missouri state legislature about public policy issues), in 2002. Martha Kropf and I wrote a policy brief ("Federal Election Reform Bill Will Require Action by Missouri") about the requirements for Missouri in a recently passed federal election reform law.

Consultant for the Central Intelligence Agency in 1999. Prepared and presented a paper on ecological inference methods for CIA analysts in Washington, DC, June 18, 1999.